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|---|---|------------------------|------------------|
| TRANSMITTAL FORM (to be used for all correspondence after initial filing) | | Application Number | 10/054,174 |
| | | Filing Date | January 18, 2002 |
| | | First Named Inventor | Shirley, et al. |
| | | Art Unit | 2185 |
| | | Examiner Name | Not Yet Assigned |
| Total Number of Pages in This Submission | 3 | Attorney Docket Number | 29250/CE08633R |

| ENCLOSURES (check all that apply) | | |
|--|--|---|
| <input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ | <input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below): <div style="text-align: center;">RECEIVED SEP 04 2003 Technology Center 2100</div> |
| <div style="border: 1px solid black; padding: 5px;">Remarks</div> | | |

| SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT | |
|--|---|
| Firm or Individual name | MARSHALL, GERSTEIN & BORUN LLP Scott E. Baxendale - 41,605 |
| Signature | <i>Scott E. Baxendale</i> |
| Date | August 28, 2003 |

| | |
|--|---|
| I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below. | |
| Dated: August 28, 2003 | Signature: <i>Scott E. Baxendale</i> (Scott E. Baxendale) |

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: August 28, 2003

Signature: Scott E. Baxendale

(Scott E. Baxendale)

Docket No.: 29250/CE08633R
(PATENT)



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Shirley, et al.

Application No.: 10/054,174

Group Art Unit: 2185

Filed: January 18, 2002

Examiner: Not Yet Assigned

For: Method and Apparatus to Maintain Service
Interoperability During Software Replacement

INFORMATION DISCLOSURE STATEMENT (IDS)

RECEIVED

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

SEP 04 2003
Technology Center 2100

Dear Sir:

Pursuant to 37 C.F.R. §1.56, the attention of the Patent and Trademark Office is hereby directed to the references listed on the attached Form PTO-1449. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the references be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

Applicant has become aware of the following documents, cited in an International Search Report issued July 24, 2003, during the prosecution of International Application No. PCT/US02/41763, which corresponds to the above referenced application, and in accordance with 37 C.F.R. §1.97(d) and (e)(1), hereby submit(s) these documents for the Examiner's consideration. These documents are cited on the enclosed Form PTO-1449, and a copy of the International Search Report and each document newly cited thereon are enclosed as well.

Application No.: 10/054,174

Docket No.: 29250/CE08633R

This Information Disclosure Statement is filed before the mailing date of a first Office Action on the merits as far as is known to the undersigned (37 CFR §1.97(b)(3)), therefore, no certification or fee is required.


Pursuant to 37 C.F.R. §1.97(e)(1), the undersigned hereby certifies that each item contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement.

The Commissioner is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 13-2855, under Order No. 29250/CE08633R. A duplicate copy of this paper is enclosed.

This statement is not to be interpreted as a representation that the cited documents are material, that an exhaustive search has been conducted, or that no other relevant information exists. Nor shall the citation of any document herein be construed per se as a representation that such document is prior art. Moreover, Applicant understands the Examiner will make an independent evaluation of the cited documents.

August 28, 2003

Respectfully submitted,

By: 

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Atty. Docket No.

Serial No.

10/054,174

INFORMATION DISCLOSURE STATEMENT

Applicant(s)

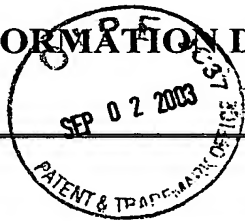
Shirley, et al.

Filing Date

January 18, 2002

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| Art Unit |
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2185



| Examiner Initials | Document Number | Issue or Publication Date | Name | Class | Subclass | Filing Date (If Appropriate) |
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| | WO 98/53619 | 11-26-1998 | PCT | | |
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Shroda, Jeffrey et al., *Site Software Upgrade while Maintaining Trunking Operation*, Technical Developments, May 1996, pg. 87.

International Search Report, International Application No. PCT/US02/41763, mailed July 24, 2003.

EXAMINER:

DATE CONSIDERED: